Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

In the Matter of)
Fiber Technologies Networks, L.L.C.,)
Petitioner,)
V.) File No. EB-03-MD-007
Verizon New England, Inc. d/b/a Verizon)
Rhode Island,)
Respondent.)

ORDER

Adopted: November 19, 2003 **Released:** November 20, 2003

By the Chief, Market Disputes Resolution Division, Enforcement Bureau:

- 1. On November 18, 2003, the petitioner, Fiber Technologies Networks, L.L.C. ("Fiber Tech"), and the respondent, Verizon New England Inc. d/b/a Verizon Rhode Island ("Verizon"), filed a Stipulation of Dismissal With Prejudice¹ seeking dismissal of the Petition for Temporary Stay that the petitioner filed on April 21, 2003.² The Stipulation of Dismissal is signed by counsel for both petitioner and respondent and states that all parties to the proceeding "hereby stipulate that all claims and counterclaims asserted in such proceeding are hereby dismissed with prejudice."
- 2. We are satisfied that dismissing the Petition for Stay will serve the public interest by promoting the private resolution of disputes and by eliminating the need for

.

¹ Stipulation of Dismissal With Prejudice, File No. EB-03-MD-007 (filed Nov. 18, 2003) ("Stipulation of Dismissal").

² Petition for Temporary Stay, File No. EB-03-MD-007 (filed Apr.21, 2003) ("Petition for Stay").

³ Petition for Stay at 1.

further litigation and the expenditure of further time and resources of the parties and this Commission.

- 3. Accordingly, IT IS ORDERED, pursuant to sections 1, 4(i), 4(j), and 224 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), 224, and the authority delegated in sections 0.111 and 0.311 of the Commission's rules, 47 C.F.R. §§ 0.111 and 0.311, that the Stipulation of Dismissal With Prejudice is GRANTED, and that the Petition for Temporary Stay is DISMISSED with prejudice.
- 4. IT IS FURTHER ORDERED that the above-captioned proceeding is TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

Alexander P. Starr Chief, Market Disputes Resolution Division Enforcement Bureau